

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

The Court has received a Report and Recommendation (Doc. #27) from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that Plaintiff's action be **DISMISSED WITH PREJUDICE**. No party has filed an objection to this recommendation within the requisite time period pursuant to District of North Dakota Local Court Rule 72.1(D)(3).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds that the Magistrate Judge's position is correct. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. Plaintiff's action is hereby **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 21st day of December, 2010.

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*/s/ Ralph R. Erickson*